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Attorneys for Complainant

**BEFORE THE
BOARD OF PSYCHOLOGY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

LAURIE POWELL Ph.D.
1701 Clinton Street #319
Los Angeles, California 90026

Psychology Certificate No. Psy 9890

Respondent

Case No. W-185

**STIPULATION FOR SURRENDER
OF LICENSE**

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the
above-entitled proceedings, that the following matters are true:

PARTIES

1. Thomas S. O'Connor ("Complainant") brings this accusation solely in his
official capacity as the Executive Officer of the Board of Psychology, and is represented by Bill
Lockyer, Attorney General of the State of California by Karen B. Chappelle, Deputy Attorney
General.

2. Laurie Powell, Ph.D. ("respondent") is not represented in this matter. The
respondent has been counseled concerning the effect of this stipulation which respondent has
carefully read and fully understands.

3. Respondent has received and read the Accusation which is presently on
file and pending in Accusation No. 1F-99-97533 before the Board of Psychology of the

1 Department of Consumer Affairs (hereinafter the "Board"), a copy of which is attached as
2 Exhibit A and incorporated herein by reference.

3 4. Respondent understands the nature of the charges alleged in Accusation
4 No. 1F-99-97533 and that, if proven at hearings, such charges and allegations would constitute
5 cause for imposing discipline upon respondent's license issued by the Board.

6 5. Respondent is aware of each of respondent's rights, including the right to a
7 hearing on the charges and allegations, the right to confront and cross-examine witnesses who
8 would testify and present evidence on her own behalf, as well as to the issuance of subpoenas to
9 compel the attendance of witnesses and the production of documents, the right to contest the
10 charges and allegations, and other rights which are accorded respondent pursuant to the
11 California Administrative Procedure Act (Gov. Code, § 11500 et seq.) and other applicable laws,
12 including the right to seek reconsideration, review by the superior court, and appellate review.

13 6. In order to avoid the expense and uncertainty of a hearing, respondent
14 freely and voluntarily waives each and every one of these rights set forth above. Respondent
15 admits to violation of Business and Professions Code section 2960 for failing to keep adequate
16 records on patient C.B. Respondent hereby voluntarily surrenders Psychologist License PSY
17 9890 for the Board's formal acceptance. Respondent understands that by signing this stipulation
18 she is enabling the Board of Psychology to issue its order accepting the surrender of her
19 Psychologist license without further process. She understands and agrees that Board staff and
20 counsel for complainant may communicate directly with the Board regarding this stipulation,
21 without notice to or participation by respondent. In the event that this stipulation is rejected for
22 any reason by the Board, it will be of no force or effect for either party. The Board will not be
23 disqualified from further action in this matter by virtue of its consideration of this stipulation.

24 7. Upon acceptance of the stipulation by the Board, respondent understands
25 that she will no longer be permitted to practice as a psychologist in California, and also agrees to
26 surrender and cause to be delivered to the Board both her license and wallet certificate before the
27 effective date of the decision.

28 8. Respondent fully understands and agrees that if she ever files an

1 application for relicensure or reinstatement in the State of California, the Board shall treat it as a
2 petition for reinstatement, the respondent must comply with all the laws, regulations and
3 procedures for reinstatement of a license in effect at the time the petition is filed, and all of the
4 charges and allegations of Accusation No. 1F-1999-97533 will be deemed to be true and correct
5 and admitted by Respondent when the Board determines whether to grant or deny the petition.
6 Respondent further agrees that prior to petitioning for reinstatement in addition to admitting the
7 allegations contained in Accusation No. 1F-99-97533, she must pay the costs of investigation
8 and prosecution in this case, totaling \$6,000.00.

9
10 ACCEPTANCE

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12 I, Laurie Powell, Ph.D., have carefully read the above Stipulation for Surrender
13 of License and enter into it freely and voluntarily, having been advised of the effects of the
14 Stipulation, and with full knowledge of its force and effect, do hereby surrender my Psychologist
15 License, No. PSY 9890, to the Board of Psychology, for its formal acceptance. By signing this
16 stipulation to surrender my license, I recognize that upon its formal acceptance by the Board, I
17 will lose all rights and privileges to practice as a Psychologist in the State of California and I also
18 will cause to be delivered to the Board both my license and wallet certificate before the effective
19 date of the decision.

20 Dated: 6-10-00

21 Laurie Powell
22 Laurie Powell, Ph.D.
23 Respondent

24 Dated: 6-19-00

25 Karen Chappelle
26 Karen B. Chappelle
27 Deputy Attorney General

28 Attorneys for Complainant

1 **DECISION AND ORDER**
2 **OF THE**
3 **BOARD OF PSYCHOLOGY**

4
5 The surrender of Psychologist License No. PSY 9890, by respondent, Laurie
6 Powell, Ph.D., is accepted by the Board of Psychology, Department of Consumer Affairs.

7 This decision shall become effective on the 18th day of August,
8 2000.

9 It is so ordered this 19th day of July, 2000.

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11
12 M. R. Greenberg, Ph.D.
13 **FOR THE BOARD OF PSYCHOLOGY**
14 Department of Consumer Affairs
15 Martin R. Greenberg, Ph.D., President

16 Exhibit A: Accusation
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EXHIBIT A

1 BILL LOCKYER, Attorney General
of the State of California
2 KAREN B. CHAPPELLE, State Bar No. 141267
Deputy Attorney General
3 California Department of Justice
300 South Spring Street, Suite 1702
4 Los Angeles, California 90013
Telephone: (213) 897-8944
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6 Attorneys for Complainant

7
8 **BEFORE THE**
9 **BOARD OF PSYCHOLOGY**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. W185

13 LAURIE POWELL Ph.D
1701 Clinton Street #319
Los Angeles, California 90026

ACCUSATION

14 Psychology Certificate No. Psy 9890

15 Respondent

16
17 Complainant alleges:

18 **PARTIES**

19 1. Thomas s. O'Connor ("Complainant") brings this accusation solely in his
20 official capacity as the Executive Officer of the Board of Psychology.

21 2. On or about May 2, 1987, the Board of Psychology issued Psychology
22 Certificate Number Psy 9890 to Laurie Powell Ph.D ("Respondent"). The Psychology Certificate
23 was in full force and effect at all times relevant to the charges brought herein and will expire on
24 November 30, 2000, unless renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board of Psychology, State of
27 California, Department of Consumer Affairs (Psychology Board") the authority of the following
28 sections of the Business and Professions Code ("Code").

4. Section 2960 of the Code states:

The board may refuse to issue any registration or license, or may issue a registration or license with terms and conditions, or may suspend or revoke the registration or license of any registrant or licensee if the applicant, registrant, or licensee has been guilty of unprofessional conduct. Unprofessional conduct shall include, but not be limited to:

(j) Being grossly negligent in the practice of his or her profession.

(k) Violating any of the provisions of this chapter or regulations duly adopted thereunder.

(n) The commission of any dishonest, corrupt, or fraudulent act.

(o) Any act of sexual abuse, or sexual relations with a patient, or sexual misconduct which is substantially related to the qualifications, functions or duties of a psychologist or psychological assistant.

(r) Repeated acts of negligence.

5. Section 2964.6 of the Code states:

An administrative disciplinary decision that imposes terms of probation may include, among other things, a requirement that the licensee who is being placed on probation pay the monetary costs associated with monitoring the probation.

6. Section 2960.1 of the Code states:

Notwithstanding Section 2960, any proposed decision or decision issued under this chapter in accordance with the procedures set forth in Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, that contains any finding of fact that the licensee or registrant engaged in any act of sexual contact, as defined in Section 729, when that act is with a patient, or with a former patient when the relationship was terminated primarily for the purpose of engaging in that act, shall contain an order of revocation. The revocation shall not be stayed by the administrative law judge.

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1 7. Section 125.3 of the Code states, in pertinent part, that the Board may
2 request the administrative law judge to direct a licensee found to have committed a violation or
3 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
4 and enforcement of the case.

5 8. Section 726 of the Code states the commission of any act of sexual abuse,
6 misconduct, or relations with a patient, client, or customer constitutes unprofessional conduct
7 and grounds for disciplinary action for any person licensed under this division, under any
8 initiative act referred to in this division and under Chapter 17 (commencing with Section 9000)
9 of Division 3.

10 This section shall not apply to sexual contact between a physician and surgeon
11 and his or her spouse or person in an equivalent domestic relationship when that
12 physician and surgeon provides medical treatment, other than psychotherapeutic
13 treatment, to his or her spouse or person in an equivalent domestic relationship.
14

15 **FIRST CAUSE FOR DISCIPLINE**

16 **(Gross Negligence)**

17 9. Respondent is subject to disciplinary action under section 2960,
18 subdivision (j) of the Business and Professions Code in that her conduct with patient C.B.
19 constitutes gross negligence. The circumstances are as follows:

20 **A. FACTS**

21 1. On or about August 1993, patient C.B., a music producer, who is also a
22 recovering alcohol, drug, sex and love addict, began treatment with respondent.

23 2. Patient C.B. became sober on 8-8-93. Within the first six months of
24 sobriety, patient C.B. began treatment with respondent on the referral of a friend of his from
25 Alcoholics Anonymous (A.A.) Respondent specialized in addiction, anxiety, depression,
26 relationships and sexuality, and stress. Patient C.B. sought treatment with respondent to stay
27 sober.

28 3. Patient C.B. saw respondent once a month for four years, and paid for his

1 therapy mostly in cash, but wrote checks on 10-16-96, 12-10-96, 12-14-96, and 3-4-97.

2 4. On or about July 1997 and continuing at September 1997, respondent
3 began to wear make-up and dress in a sexy manner for the therapy sessions with patient C.B.

4 5. On or about September 1997, respondent asked patient C.B. about
5 bartering for services. Patient C.B. had a recording studio, and respondent offered to barter
6 therapy hours for studio hours. Respondent wanted to do a solo recording and asked patient C.B.
7 if she could build up some therapy hours and exchange that for studio time.

8 6. Patient C.B. agreed, and immediately felt a change in the therapeutic
9 relationship. Prior to the bartering agreement, patient C.B. looked up to respondent as his
10 therapist, and now felt that their roles had somehow been switched.

11 7. On or about September 18, 1998, respondent had built up between 8-10
12 therapy hours with patient C.B. and came to do her recording at his studio, which was located in
13 his home.

14 8. Patient C.B. felt like he was the therapist at this point, talking about
15 respondent's problems in getting her to relax. Respondent brought her guitar and patient C.B.
16 began to work with her. Respondent was tense and nervous, so patient C.B. and respondent
17 talked. Patient C.B. massaged respondent a little.

18 9. Respondent told patient C.B. she just got divorced from her wife, Paula.

19 10. Patient C.B. told respondent he didn't know she was a lesbian, and
20 respondent told patient C.B. she was bisexual. Patient C.B., up to this point, knew nothing about
21 respondent, rather respondent knew about the facts concerning C.B.'s life.

22 11. At this point, patient C.B. felt like he was the therapist, talking about
23 respondent's problems and trying to get her to relax.

24 12. Respondent did some of the song and left.

25 13. A few days later, respondent returned to patient C.B.'s studio, and they
26 began kissing and had oral sex at this time. Within a couple of days, respondent and patient C.B.
27 had sexual intercourse at patient C.B.'s home.

28 ///

1 14. After the oral sex occurred at patient C.B.'s home, patient C.B. told
2 respondent the therapy was now over, as their relationship had changed to a personal one.
3 Respondent agreed.

4 15. At this time, respondent did not refer patient C.B. to anyone to continue
5 therapy and did not disclose with patient C.B. any close of therapy. Patient C.B. was told by
6 respondent that he had graduated from therapy.

7 16. Respondent referred patient C.B. to another physician for treatment of
8 Attention Deficit Disorder.

9 17. Respondent and patient C.B. saw each other a couple of times per week
10 and would frequently go to the movies or eat out. On many occasions, they stayed in.

11 18. Respondent told patient C.B. she didn't want to be seen in public and
12 wanted to keep things hidden. On one occasion, respondent and patient C.B. attended the Rose
13 Bowl parade.

14 19. Respondent and patient C.B. performed musically together and started
15 their own band called "Fuzzy Slipper." They played in a coffee shop in Encino and also
16 performed for Viet Nam veterans.

17 20. Respondent and patient C.B. also attended Alanon and Sex, Love,
18 Addiction Anonymous meetings together. Patient C.B. had been going to Sex, Love, Addiction
19 Anonymous for two years prior to beginning his affair with respondent. Respondent had
20 recommended it to him. During a weekend retreat in Malibu, on or about November 28, 1997,
21 patient C.B. and respondent shared a room together and were "acting out."

22 21. During the first meeting, respondent realized that she was a sex and love
23 addict and began crying as she realized it.

24 22. At or about this time, patient C.B. told respondent that he could not
25 commit to a relationship with respondent until she completed one year in Sex, Love, Addiction
26 Anonymous and had some "clean-time." Patient C.B. told respondent that respondent needed
27 help. Respondent replied "I know."

28 23. On or about early December 1997, respondent began seeing another

1 patient of hers, "C." Patient C.B. knew about this because respondent told him. Respondent also
2 saw patient C.B. for another few months beyond December 1997. Between October 1997 and
3 February 1998, respondent and patient C.B. had sexual intercourse approximately 20-30 times.
4 Initially, they had sex at patient C.B.'s home, but then patient would also go to respondent's
5 home.

6 24. On or about April 1998, a friend of patient C.B.'s, from Sex, Love,
7 Addiction Anonymous, referred him to a group therapy session. Patient C.B. attended the
8 session and, during the course of the session, his relationship with respondent was disclosed.
9 The leader of the therapy session told patient C.B. that the relationship patient C.B. had
10 experienced with respondent was wrong. Patient C.B. was advised to report respondent to the
11 Board.

12 25. On or about September 1998, patient C.B. contemplated that information
13 regarding having sex with respondent was improper. That same day, patient C.B. received a
14 telephone call from respondent, asking patient C.B. for a date. Patient C.B. questioned
15 respondent about "C," and respondent told him that "C" was still living with her, but since "C"
16 had stood her up, respondent wanted to make him jealous.

17 26. In correspondence, respondent refers to her grief for her wife and her
18 relationship with patient C.B., and "C." Regarding "C," on January 25, 1998, respondent writes
19 that "C" told respondent he was going to work things out with his wife and family, since it had
20 been a year since respondent's wife left, she was trying not to slip until September 8, 1998.

21 27. On or about January 1998, respondent ended the physical relationship with
22 patient C.B. When asked by the Medical Board in February 2000 to provide a complete copy of
23 patient C.B.'s psychological treatment and therapy records, respondent produced a one-page
24 summary of the treatment received from respondent.

25 B. ACTS OF MISCONDUCT

26 The following acts singularly and collectively constitute extreme departures from
27 the standard of care:

- 28 1. Engaging in a sexual relationship with patient C.B. within the parameters

1 of the psychotherapy relationship.

2 2. Engaging in multiple relationships with patient C.B.

3 3. Failure to properly terminate the treatment sessions between respondent
4 and patient C.B.

5 4. Respondent's failure to maintain adequate records of therapy sessions with
6 patient C.B. during the course of the five years of treatment.

7 C. ACTS OF GROSS NEGLIGENCE:

8 The following acts, singularly and collectively, constitute extreme departures
9 from the standard of care.

10 1. Respondents failure to properly terminate treatment with a patient with whom
11 she had become sexually involved.

12 2. Respondent's actions of engaging in a sexual relationship with patient C.B.
13 during ongoing treatment sessions.

14 3. Respondent's engaging in "multiple relationships with patient C.B. during the
15 course of treatment with him, including engaging in recording sessions, writing music together,
16 performing together and attending twelve step meetings together.

17 4. Respondent's failure to set forth specific treatment goals for patient C.B.; or to
18 plan for the cessation of treatment.

19 5. Respondent's failure to maintain proper treatment records documenting her
20 psychotherapy process with patient C.B.

21
22 SECOND CAUSE FOR DISCIPLINE

23 (Sexual Misconduct)

24 10. Respondent is subject to disciplinary action under section 2960,
25 subdivision(o) of the Business and Professions code in conjunction with section 726 in that her
26 conduct in association with the care, treatment and management of patient C.B. constitutes
27 sexual misconduct.

1 A. Complainant refers to paragraph 9 subparagraphs (A) and (B)
2 inclusive, above, and by this reference incorporates the facts therein as if set forth fully.
3

4 **THIRD CAUSE FOR DISCIPLINE**

5 **(Unprofessional Conduct)**

6 11. Respondent is subject to disciplinary action under section 2960, of the
7 Business and Professions Code in that her conduct with patient C.B. constitutes unprofessional
8 conduct. The circumstances are as follows:

9 A. Complainant refers to paragraphs 9 subparagraphs (A) and
10 (B) inclusive, above, and by this reference incorporates the facts therein as if set forth fully.

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Psychology issue a decision:

A. Revoking or suspending Psychology Certificate Number Psy 9890, issued to Laurie Powell Ph.D.;

B. Ordering Laurie Powell Ph.D. to pay the Board of Psychology the reasonable costs of the investigation and enforcement of this case, and, if placed on probation, the costs of probation monitoring;

C. Taking such other and further action as the Board of Psychology deems necessary and proper.

DATED: May 23, 2000

Thomas S. O'Connor
THOMAS S. O'CONNOR
Executive Officer
Board of Psychology
State of California
Complainant

DECLARATION OF SERVICE BY CERTIFIED MAIL

In the Matter of the Accusation
against:

Laurie Powell, Ph.D.

No. : W-185

I, the undersigned, declare that I am over 18 years of age and not a party to the within cause; my business address is 1422 Howe Avenue, Sacramento, California 95825. I served a true copy of the attached:

DECISION AND ORDER

by mail on each of the following, by placing same in an envelope (or envelopes) addressed (respectively) as follows:

NAME AND ADDRESS

CERT NO.


Laurie Powell, Ph.D.
1701 Clinton St., #319
Los Angeles, CA 90026

7099 3220 0004 4594 7867

Karen B. Chappelle
Office of the Attorney General
300 S. Spring St., Ste. 1702
Los Angeles, CA 90013

Each said envelope was then on, July 19, 2000, sealed and deposited in the United States mail at Sacramento, California, the county in which I am employed, as certified mail, with the postage thereon fully prepaid, and return receipt requested.

Executed on, July 19, 2000, at Sacramento, California.
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.


DECLARANT
Mary Laackmann
Enforcement Analyst